

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marathon Petroleum Co. LP,

Case No. 3:14-cv-2431

Plaintiff,

v.

ORDER

Bulk Petroleum Corp., et al.,

Defendants.

On April 7, 2022, Plaintiff Marathon Petroleum Company LP filed a motion to alter or amend the judgment rendered in its favor, pursuant to Federal Rule of Civil Procedure 59(e). (Doc. No. 197). I previously entered partial judgment in Marathon's favor as to the amount of the Termination Remedy applicable to Count II of Marathon's Complaint and awarded damages in the amount of \$7,702,606.50. (Doc. No. 195). Marathon seeks an order amending the judgment to include prejudgment interest as required by Ohio law. (*See* Doc. No. 197 at 3-6).

After I granted leave, Defendants filed a brief in response to Marathon's motion, objecting to the assessment of prejudgment interest by incorporating their arguments in opposition to Marathon's motions for leave and for summary judgment. (Doc. No. 199 at 1 (citing Doc. Nos. 189 and 192)). I conclude Marathon has established it is entitled to prejudgment interest and grant its motion to alter or amend the judgment. (Doc. No. 197).

A party may file a motion to alter or amend a judgment within 28 days of the date of entry of judgment. Fed. R. Civ. P. 59(e). A court may alter or amend a judgment to award prejudgment interest. *See, e.g., America's Collectibles Network, Inc. v. Sterling Commerce (Am.), Inc.*, 819 F. App'x 397, 404-05 (6th Cir. 2020). Marathon, as the prevailing party as to this claim, is entitled to prejudgment interest under Ohio law. *See* Ohio Rev. Code § 1343.03(A). Therefore, I conclude Marathon is entitled to prejudgment interest, beginning on December 1, 2011, and concluding on March 11, 2022, when I entered judgment in its favor. Further, I conclude Marathon has properly calculated the amount of prejudgment interest which has accrued, (*see* Doc. No. 197-3 at 2), and award Marathon prejudgment interest in the amount of \$2,843,422.47.

Therefore, I grant Marathon's motion to alter or amend the judgment entered March 11, 2022, and award Marathon a total of \$10,546,029 in damages and prejudgment interest.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge